

Remarks

Claims 1, 4 and 9 have been amended, and claims 2 and 3 have been canceled. Claims 1 and 4-18 are pending in this application.

Claims 1, 5, 7-13 and 15-17 were rejected for being unpatentable over EP 0,824,942 A1 ("Mometti") in view of Reuss et al., U.S. Patent No. 6,250,65. Claims 2, 6, 14 and 18 were rejected for being unpatentable over Mometti in view of Ruess, and further in view of various combinations of Katz, U.S. Design Patent No. D308,997, Valsecchi et al., U.S. Patent No. 4,683,620, and Gonthier, U.S. Patent No. 6,773,020.

Applicants note that claims 3 and 4 were objected to on page 6 of the final Office Action, but were deemed to be allowable if rewritten. Consequently, independent claims 1 and 9 have been amended to incorporate the recitation of claim 3, and consequently claims 2 and 3 have been canceled. In particular, independent claims 1 and 9 now recite that the adjustable strap assembly includes an engagement device on the instep pad that includes a plurality of teeth positioned on a raised ramp area, and that the medial strap includes a plurality of teeth on a lower surface for mating with the teeth of the engagement device. No new matter has been added.

In view of the above amendments, the Applicants respectfully assert that the rejections of claims 1 and 9, and dependent claims 4-8 and 10-18 have been overcome. Consequently, the Applicants request withdrawal of all of the rejections under 35 USC §103(a), and the allowance of claims 1 and 4-18.

In view of the foregoing, it is believed that the entire application is now in condition for allowance, early notification of such would be appreciated. Should the Examiner not agree, a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the claims. Please call the undersigned to expedite the allowance of all the claims in this application.

Respectfully submitted,

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